



# National Environmental Policy Act



# NEPA



- National Environmental Policy Act of 1969
- Policy in a nut shell – the Federal government must consider environmental impacts and alternatives in the decision making process



# NEPA Requirements



1. Consider environmental impacts of proposed actions
2. Evaluate alternative actions
3. Disclose actions/impacts to the public
4. Integrate public participation into the decision making process



# NEPA Implementation



- US Army implementing regulation is 32 CFR 651, 29 March 2002
- Not all agencies implement NEPA the same
- Primarily construction and renovation projects, reserve training, and real estate actions



# NEPA Process Documentation



- Record of Environmental Consideration (REC) – 1 page, cost minimal
- Environmental Assessment (EA) – 3-6 month process, cost \$20K to \$200K, requires public notification
- Environmental Impact Statement (EIS) – 1-5 year process, \$200K to \$Ms, requires public notification



# What ECOs Need to Know

1. The NEPA process is a legal requirement
2. Routine minor projects/actions are normally covered by a REC signed by the Environmental Coordinator
3. Major actions/projects typically require an EA



# Environmental Compliance Checklist



# Fort Detrick Environmental Compliance Checklist



**Fort Detrick Environmental Management Office  
Environmental Compliance Checklist  
for  
Construction, Maintenance and Repair, and Demolition Activities**

Project Title: \_\_\_\_\_

Brief Project Description: \_\_\_\_\_  
\_\_\_\_\_

Proponent: \_\_\_\_\_ Tel. No/E-Mail Address: \_\_\_\_\_

☐ Construction Project   ☐ Maintenance Project   ☐ Repair Project   ☐ Demolition Activity

Estimated Cost: \_\_\_\_\_

EMO Tracking No.: \_\_\_\_\_ Tracking Start Date: \_\_\_\_\_





Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
NEPA Compliance (301-619-3152)				
National Environmental Policy Act (NEPA)	Most projects must have NEPA documentation completed before groundbreaking can occur.	Type of NEPA Document Required: <input type="checkbox"/> EIS <input type="checkbox"/> EA <input type="checkbox"/> REC <input type="checkbox"/> N/A		
Storage Tank (301-619-3196)				
Storage Tanks	Installation, modification, or removal of a storage tank may have regulatory constraints in addition to permitting and other notification requirements.	<input type="checkbox"/> Permit Required <input type="checkbox"/> Permit Modification <input type="checkbox"/> State Notification Req. <input type="checkbox"/> Potential Contamination Issue		
Installation Restoration Program Considerations (301-619-3196)				
Land Use Restrictions	Soil-disturbing activities may be restricted because of environmental contamination.	<input type="checkbox"/> No Land Use Restrictions <input type="checkbox"/> Restrictions Exist, See Remarks		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
<b>Natural Resources Compliance (301-619-2033)</b>				
Natural Resources	Does the project impact on wetland areas? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> No Action Required <input type="checkbox"/> Wetlands Permit Required		
	If the project exceeds a disturbance of 40,000 sf, forestation requirements apply.	<input type="checkbox"/> No Action Required <input type="checkbox"/> 15% Afforestation Required <input type="checkbox"/> 2-for-1 Reforestation Required		
<b>Cultural Resources Compliance (301-619-2033)</b>				
Cultural Resources	Does the project impact on protected archeological sites? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe	<input type="checkbox"/> No Action Required <input type="checkbox"/> SHPO Consultation Required		
	Does the project impact on historical buildings? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Maybe	<input type="checkbox"/> No Action Required <input type="checkbox"/> SHPO Consultation Required		
<b>Landscaping and Pest Management Requirements (301-619-2033)</b>				
Landscaping	Review plant list to screen for invasive species.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Pest Control	Pest management to be provided by Garrison or by contractor?	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks	Subject Matter Expert Sign-off (See Note 1)
<b>Storm Water Requirements (301-619-3136)</b>				
Storm Water Management	Projects disturbing more than 5,000 sf (or more than 100 cy) must be approved by MDE for E&SC before groundbreaking can occur.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Submission to MDE Required		
	Projects disturbing more than 5,000 sf must include SWM. MDE approval is required before groundbreaking can occur.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Submission to MDE Required		
	Projects disturbing 1-acre (or greater) require an NPDES permit before groundbreaking can occur.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Submission to MDE Required		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Sanitary Sewer Requirements (301-619-3136)				
Waste Water	New users of sanitary sewer system or users with a significant addition to their discharge must submit new user form.	<input type="checkbox"/> No Action Required <input type="checkbox"/> New User Discharge Form, FD Form 1418		
SPCC (301-619-3136)				
Petroleum	Certain regulatory requirements apply if petroleum, oil, lubricants will be stored on site in excess of 55 gallons.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Noise Requirements (301-619-3136)				
Noise	Noise sources in excess of 55 decibels (night) and 65 decibels (day) are prohibited.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Air Emission Requirements (301-619-3906)				
Air Emission Permitting	New air emission sources and major modifications of existing sources require Permits to Construct and/or Permits to Operate.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Permits to Construct Required <input type="checkbox"/> Title V Permit to Operate Amendment Required		
Installation of Emergency Generators	Large emergency generators require permits. Before permits can be requested, proponent must obtain concurrence from the Maryland Public Service Commission (PSC) thru DIS.	<input type="checkbox"/> No Action Required <input type="checkbox"/> PSC Concurrence Letter Required		
New Source Review (NSR)	Certain larger-scale new air emissions sources and major modifications of existing sources require NSR Permits.	<input type="checkbox"/> No Action Required <input type="checkbox"/> NSR Evaluation Required <input type="checkbox"/> NSR Permit Required		
Conformity	New air emission sources and major modifications of existing sources <i>that do not require NSR Permits</i> require conformity evaluations and perhaps conformity determinations.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Record of Non- Applicability and Conformity Evaluation Required <input type="checkbox"/> Conformity Determination Required		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Hazardous Materials/Hazardous Waste Requirements (301-619-3441)				
Hazardous Materials	Hazardous Material purchases and usage must be tracked and Hazardous Material storage is regulated. Will the construction or demolition activity: <input type="checkbox"/> Procure, Utilize or Store Hazardous Materials on site. Will the completed project: <input type="checkbox"/> Procure, Utilize or Store Hazardous Materials on site.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required <input type="checkbox"/> Not Applicable (No regulated HW onsite)		
Hazardous Waste	Hazardous Waste generators are regulated. Will the construction or demolition activity: <input type="checkbox"/> Generate or Accumulate Hazardous Waste on site. Will the completed project: <input type="checkbox"/> Generate or Accumulate Hazardous Waste on site.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required <input type="checkbox"/> Not Applicable (No regulated HW onsite)		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Recycling/Affirmative Procurement Requirements (301-619-3169 or 301-619-1266)				
Affirmative Procurement - Buy Recycled	Per the Fort Detrick Affirmative Procurement Plan, construction and maintenance and repair projects are required to purchase EPA-designated products made with recycled materials unless justification is provided.	<input type="checkbox"/> Evaluation of Comprehensive Procurement Guidelines Required <input type="checkbox"/> No Action Required <input type="checkbox"/> Justification Required		
Solid Waste Recycling	All construction, renovation and demolition projects will include contract performance requirements for a 50% minimum diversion of construction and demolition (C&D) waste by weight, from landfill disposal. (ACSIM Policy Memo, Sustainable Management of Waste in Military Construction, Renovation, and Demolition Activities, 6 Feb 2006).	<input type="checkbox"/> No Action Required <input type="checkbox"/> Contract Specs will include a requirement for C & D Waste Management Plan		



Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Miscellaneous				
PCBs	PCBs may be encountered during demolition, or during maintenance and repair.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Lead	Lead-based paint may be encountered during demolition, or during maintenance and repair.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Mercury	Mercury may be encountered in drains and thermostats during demolition, maintenance or repair.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Exit Signs & Smoke Detectors	Exit signs and smoke detectors may contain radioactive materials and must be disposed of properly.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Forestation	Removal of trees larger than 2.5” diameter requires 2-for-1 replacement.	<input type="checkbox"/> No Action Required <input type="checkbox"/> Evaluation Required		
Demolition	EPA and MDE must be notified.	<input type="checkbox"/> No Action Required <input type="checkbox"/> EMO Action Required		
Renovation	If Asbestos will be disturbed, EPA and MDE must be notified.	<input type="checkbox"/> No Action Required <input type="checkbox"/> EMO Action Required		

\*Note 1: Signature of Subject Matter Expert (SME) indicates that all prerequisites to construction have been satisfactorily fulfilled, and/or the SME will work closely with the Project Proponent to ensure environmental compliance in the SMEs program or media area.





Compliance Area	Requirement	Action Necessary	Subject Matter Expert Remarks / Sign-off (See Note 1)	
Environmental Approvals				
Released for Construction			<p>This project is approved for construction. However, there are compliance requirements that need to be addressed during the construction period.</p> <p><input type="checkbox"/> Erosion and Sediment Control (E&amp;SC) only.</p> <p><input type="checkbox"/> E&amp;SC <b>plus</b> Additional Items.</p>	<p>All Environmental, Cultural, and Natural Resources prerequisites to construction have been fulfilled._____</p> <p>Environmental Coordinator <b>Sign and Date</b></p>
Final Approval				<p>All Environmental, Cultural, and Natural Resources prerequisites to construction have been fulfilled._____</p> <p>Environmental Coordinator <b>Sign and Date</b></p>